

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	4:04CR3073
Plaintiff,)	
)	<u>AMENDED</u>
vs.)	FINAL ORDER OF
)	FORFEITURE
)	
ANDRE PAINE,)	
)	
Defendant.)	

NOW ON THIS 20th day of December, 2005, this matter comes on before the Court upon the United States' Motion for Final Order of Forfeiture and Memorandum Brief. The Court reviews the record in this case and, being duly advised in the premises, find as follows:

1. On September 28, 2005, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 18, United States Code, Section 2252(a)(2) and 2253, based upon the Defendant's plea of guilty to Counts II and III of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in the following:

- a. Iomega Zip Drive, serial number RRCL26A98C;
- b. Cannon BJC-3010 Ink Jet Printer, no serial number;
- c. Six 3 ½ " floppies;
- d. Seven Zip disks;
- e. CDR disks.

was forfeited to the United States.

2. On October 20, 27 and November 3, 2005, the United States published in a newspaper of general circulation notice of this forfeiture and of the intent of the United States to dispose of the

properties in accordance with the law, and further notifying all third parties of their right to petition the Court within the stated period of time for a hearing to adjudicate the validity of their alleged legal interest(s) in said properties. An Affidavit of Publication was filed herein on December 1, 2005 (Filing No. 27).

3. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

4. The Plaintiff's Motion for Final Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the subject properties, i.e.:

- a. Iomega Zip Drive, serial number RRCL26A98C;
- b. Cannon BJC-3010 Ink Jet Printer, no serial number;
- c. Six 3 ½ " floppies;
- d. Seven Zip disks;
- e. CDR disks.

held by any person or entity, are hereby forever barred and foreclosed.

C. The subject properties, i.e.:

- a. Iomega Zip Drive, serial number RRCL26A98C;
- b. Cannon BJC-3010 Ink Jet Printer, no serial number;
- c. Six 3 ½ " floppies;
- d. Seven Zip disks;
- e. CDR disks.

be, and the same hereby are, forfeited to the United States of America .

D. The United States Marshal for the District of Nebraska is directed to dispose of said property in accordance with law.

December 20, 2005.

BY THE COURT:

s/ Richard G. Kopf
United States District Court